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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CINDY SILVAGNI,

Plaintiff,

vs.

WAL MART STORES, INC, and DOES
1 through 100; And ROE
CORPORATIONS 101 through 200

Defendant.

CASE NO.: 2:16-CV-00039-JCM-NJK

**STIPULATION AND ORDER ALLOWING PLAINTIFF EXTENDED TIME TO
RESPOND TO DEFENDANT’S MOTION TO EXCLUDE PLAINTIFF’S UNTIMELY
DISCLOSED CLAIM FOR LOSS OF EARNING CAPACITY, DEFENDANT’S MOTION
TO EXCLUDE PLAINTIFF’S UNTIMELY DISCLOSED CLAIM FOR FUTURE
LUMBAR SPINE SURGERY, AND DEFENDANT’S MOTION TO EXCLUDE
PLAINTIFF’S UNTIMELY DISCLOSED CLAIM FOR HIP SURGERY**

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1 IT IS HEREBY STIPULATED AND AGREED, by and between the Plaintiff,
2 CINDY SILVAGNI, by and through her attorney of record, SCOTT L. POISSON, ESQ.,
3 and CHRISTOPHER BURK, ESQ. of the firm BERNSTEIN & POISSON, and the
4 Defendant, WAL MART STORES, INC, through the undersigned counsel, RYAN
5 KERBOW, ESQ.

7 The parties stipulate that Plaintiff may have until May 19, 2017 to respond to
8 Defendant's Motion to Exclude Plaintiff's Untimely Disclosed Claim for Loss of Earning
9 Capacity, Defendant's Motion to Exclude Plaintiff's Untimely Disclosed Claim for Future
10 Lumbar Spine Surgery, and Defendant's Motion to Exclude Plaintiff's Untimely
11 Disclosed Claim for Hip Surgery.

13 The reason for the stipulation is Plaintiff's counsel has not been given sufficient
14 time to respond to all three motions. Plaintiff's counsel has, unfortunately, numerous
15 depositions as well during this time in other cases. Plaintiff's counsel needs until the 19th
16 of May to ensure he has ample time to research and respond to each motion.

18 Dated this 4th of May, 2017.

20 **BERNSTEIN & POISSON**

PHILLIPS, SPALLAS & ANGSTADT, LLC

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22 */s/ Christopher Burk, Esq.*

/s/ Ryan Kerbow, Esq.

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24 Christopher Burk, Esq.
Nevada Bar No.: 8976
Attorneys for Plaintiff

Ryan Kerbow, Esq.
Nevada Bar No.: 11403
Attorneys for Defendant

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2 **ORDER**

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Plaintiff is given an
4 extension to May 19, 2017 to Respond to Defendant's Motion to Exclude Plaintiff's
5 Untimely Disclosed Claim for Loss of Earning Capacity, Defendant's Motion to Exclude
6 Plaintiff's Untimely Disclosed Claim for Future Lumbar Spine Surgery, and Defendant's
7 Motion to Exclude Plaintiff's Untimely Disclosed Claim for Hip Surgery.
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10 **IT IS SO ORDERED"**

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13 **UNITED STATES MAGISTRATE JUDGE**

14 Dated: May 5, 2017.

15 Submitted by:
16 BERNSTEIN & POISSON

17 /s/ Christopher Burk, Esq.

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